

IV. REMARKS

Claims 1-18, 20-27 and 29-33 are pending in this application. By this amendment, claims 1, 4, 6, 10, 18, and 26 have been amended. Claims 19 and 28 have been cancelled. Claim 28 has been indicated as allowable if rewritten in independent form including all the limitations of the intervening claims. Applicant appreciates the Office's indication of allowable subject matter. Applicant does not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

A. OBJECTION TO THE SPECIFICATION

The disclosure is objected to based on various informalities. Specifically, paragraph 24 page 10 of the specification incorrectly makes reference to memory 16. Applicant has amended paragraph 24 of the specification to correct the typographical error. Accordingly, Applicant respectfully requests withdrawal of the objection.

Furthermore, the Office asserts that paragraph 9 in page 5 provides "no description in the specification as to what is meant by 'recordable medium.'" Office Action, p. 2. In response, Applicant has amended the specification to further define the term "recordable medium." Accordingly, Applicant respectfully requests withdrawal of the objection.

B. REJECTION OF CLAIMS 1-33 UNDER 35 U.S.C. §101

In the Office Action, claims 1-33 are rejected under 35 U.S.C. 101 “because the steps of determining, generating, returning...in and of themselves are not a practical application with a useful, concrete and tangible result (e.g., the actual validating never takes place).” Office Action, p. 3. In response, Applicant submits that claim 1 does in fact result in the actual validation of remotely cached dynamic content web pages. Claim 1 analyzes the entity tag to determine if the cached response is valid. Applicant submits that a validity determination of the cached response will necessarily determine the validity of remotely cached dynamic content web page. Accordingly, Applicant submits that recited claim 1 provides a useful, concrete and tangible result and respectfully requests withdrawal of the rejection.

Furthermore, claims 26-33 are rejected under 35 U.S.C. 101 because the claims do not “specify what the recordable medium is.” Office Action, p. 3. In response, Applicant has amended claim 26 to further define the term “recordable medium.” Accordingly, Applicant submits that amended claim 26 is limited to statutory tangible embodiments. Applicant respectfully requests withdrawal of the rejection.

C. REJECTION OF CLAIMS 1-33 UNDER 35 U.S.C. §112, 2ND PARAGRAPH

The Office asserts that claims 1-33 are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office asserts that “the claims preamble recites “...validating remotely cached content...”; the body of claims only includes the steps of determining, generating, returning...but not actual

validating of the cache content that is recited in the preamble. Office Action, pg. 3-4. Applicant herein incorporates the arguments made above with respect to the rejection under 35 U.S.C. 101, and submits that validating the cached response provides validation of the cache content recited in the preamble. Accordingly, Applicant requests that the rejection be withdrawn.

D. REJECTION OF CLAIMS 1-27 and 29-33 UNDER 35 U.S.C. §103(a)

In the Office Action, claims 1-5, 7-27 and 29-33 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2002/0026563 A1 to Chamberlain et al., herein after “Chamberlain,” in view of U.S. Patent Publication No. 2003/0182357 A1 to Chess et al., hereinafter “Chess.” Office Action, p. 4. With regard to the rejection, Applicant asserts that the cited references fail to teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 10, 18 and 26, Applicant submits that the cited references fail to teach or suggest analyzing the entity tag by comparing time values within the entity tag associated with the set of dependencies to corresponding time values for the sources to determine if the cached response is valid, wherein the comparison is made without rebuilding the response. Instead, Chamberlain teaches that “...a cached response is identified as stale when its URL is requested by a user and the cache control unit compares the candidate cached response’s last modified date against all of the source parts’ last modified dates...” (See paragraph 0128). However, because only the URL and a last modified date for the webpage are cached on the server, Chamberlain must first rebuild and evaluate the web page to determine the sources of data and to interface with each source to obtain the necessary content before any validation occurs. In contrast, in the present invention, remotely cached dynamic web pages are validated simply by

analyzing the entity tag. Because the entity tag identifies, *inter alia*, the sources of dynamic content in the response, a comparison of time values within the entity tag associated with the set of dependencies to corresponding time values for the sources determines the validity of the cached response without having to rebuild the webpage. Applicant submits that the cited references fail to teach this claimed feature.

In the Office Action, claim 28 is indicated as allowable if rewritten to overcome the rejections and to include all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claim 26 to incorporate the subject matter of cancelled claim 28. Accordingly, Applicant submits that claim 26 is allowable and respectfully requests withdrawal of the rejection.

With respect to dependent claims 2-5, 7-9, 11-17, 20-25, 27 and 29-33, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

In the Office Action, claim 6 is rejected under 35 U.S.C. 103(a) as being allegedly being unpatentable over Chamberlain in view of Chess, and further in view of U.S. Patent Publication 2004/0111463 to Amon et al., hereinafter "Amon." Applicant has amended claim 6 to correct a typographical error. Accordingly, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claim depends. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

V. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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Reg. No. 57,878

Date: November 8, 2006

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